

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

PUBLIC SERVICES – Panchayat Raj & Rural Development Department – Allegations of irregularities in the administration of MPP Garidepalli of Nalgonda District against Sri B. Laxmaiah, MPDO (Retd.), MPP Garidepalli of Nalgonda District (now expired) – Placed under suspension – Charges framed – Enquiry Officer appointed – Retired from service – E.Os report submitted – Show cause notice issued – Expired on 03.02.2011 – Further action abated duly recovering misappropriated amount of Rs.6,98,450/- under Rule 9(7) of APRP Rules, 1980 – Orders – Issued.

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.III-A) DEPARTMENT

G.O.Rt.No. 994

Dated:22.06.2013

Read the followings:-

- 1) Procs.No.5025/CPR&RE/16/92, Dt.29.03.1992 of the CPR&RE, Hyderabad.
- 2) Procs.No.5025/CPR&RE/16/92, Dt.17.12.1993 of the CPR&RE, Hyderabad.
- 3) Charge Memo.No.B1/D5/93, Dt.11.01.1994 of the District Development Officer, ZPP Nalgonda.
- 4) Lr.No.B1/DS/93, Dt.07.11.1994 of the CEO, ZPP Nalgonda.
- 5) From the CPR&RE, Hyd., Lr.No.5025/CPR-13/92, Dt.3.2.2000
- 6) Govt.Memo.No.4769/Vig.III-A/2000-6, Dt.18.10.2002.
- 7) From the CPR&RE, Hyd., Lr.No.5025/CPR&RE/A2/92, Dt.22.12.2010.
- 8) Govt.Lr.No.4769/Vig.III-A/2000-31, Dt.21.02.2011.
- 9) From the Secy., APPSC, Hyd., Lr.No.462/RT-I/1/11, Dt.28.04.2011
- 10) From the CPR&RE, Hyd., Lr.No.5025/CPR&RE/A2/1992, Dt.20.07.2012.
- 11) Govt.Memo.No.4769/Vig.III-A/2000-34, Dt.14.08.2012.
- 12) From the CEO, ZPP Nalgonda, Lr.No.B1/3653/2012-13/ZPP, Dt.04.04.2013.

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**O R D E R:**

It had been brought to the notice of the Government by the Commissioner, Panchayat Raj & Rural Employment, Hyderabad that the Accounts Officer, Zilla Parishad, Nalgonda has inspected the accounts of Mandal Praja Parishad, Garidepalli on 12.2.92 and found that the Mandal Parishad Development Officer has committed serious financial irregularities. Sri B.Laxmaiah was the Mandal Parishad Development Officer of the said Mandal Parishad from 21.5.90 to the date of inspection.

2. The District Collector, Nalgonda, while reporting the matter to the Commissioner, Panchayat Raj and Rural Employment has stated that the delinquent has drawn an amount of Rs.8,79,716/- from the general funds of Mandal Parishad, Garidepalli without observing any rules and regulations and thus he has committed serious financial irregularities. The District Collector, Nalgonda has, therefore, requested the Commissioner, Panchayat Raj and Rural Employment to place Sri B.Laxmaiah under suspension in public interest with immediate effect.

3. In pursuance of the recommendations of the District Collector, Nalgonda, the Commissioner Panchayat Raj and Rural Employment has placed the individual under suspension in the reference 1<sup>st</sup> read above. The Commissioner, Panchayat Raj and Rural Employment has also appointed the Chief Executive Officer, Zilla Parishad, Nalgonda as Enquiry Officer to conduct the enquiry into the matter in the reference 2<sup>nd</sup> read above.

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4. The Enquiry officer has submitted his report to the Commissioner, Panchayat Raj and Rural Employment vide his Letter dated 11.11.1993. The Commissioner, Panchayat Raj and Rural Employment after examining the enquiry report has observed that the enquiry report is not in accordance with the A.P. Civil Services (Classification, Control & Appeal) Rules, 1991. He has therefore requested the Enquiry Officer to conduct the enquiry in accordance with the procedure laid down in the A.P. Civil Services (CC&A) Rules, 1991, vide his Memo dated 17.12.93. While the enquiry is under progress, the Delinquent Officer was reinstated into the service by the Commissioner, Panchayat Raj and Rural Employment vide his Proceedings dated 19.02.1994.

5. The Enquiry Officer has framed the following charges against the individual in the reference 3<sup>rd</sup> read above:

Charges :-

- i. that he has sanctioned interest bearing advances to the teaching and non teaching staff for Rs.3,72,000/- violating the rules containing Govt. Memo. No.27650/Accounts-II/87, Dt.5.09.88.
- ii. That he has purchased the stationary worth of Rs.1,05,799/- irregularly from Mandal funds without obtaining the permission from competent authority and supplied to the schools, without their requisition.
- iii. That he has purchased the furniture to a tune of Rs.1,18,800/- irregularly from Mandal funds without obtaining the permission from competent authority and supplied to the schools without their requisition.
- iv. That he has committed the financial irregularities from Mandal Funds for Rs.2,38,398/- for payments of publishing charges and purchase of RCC Pipes, sewing machines books etc.
- v. That he has appointed a helper to the Pump Mechanic, irregularly and made payment of Rs.5,750/- from Mandal funds.
- vi. That he has withdrawn an amount of Rs.75,187/- from Mandal funds and deposited under self saving accounts at S.B.H., Gaddipalli Branch. He has incurred the Rs.73,250/- irregular expenditure with that amount under Social Forestry.
- vii. That certain records are not made available in the office for verification of correctness of accounts. The Mandal staff have reported that they are not aware of the said records.
- viii. That he has not accounted for a sum of Rs.28,620/- released under TGKP to the Mandal. The staff reported that the MDO has not handed over such record in the office.
- ix. That he has not accounted for the grants released under JRY Programme. Since the cheques and Demand drafts received and Distribution Register is not maintained in the Mandal office, it is not known whether the cheques and DDs of JRY Grants received from Z.P., are handed over the Sarpanches concerned. The Mandal staff is not aware of this grants for 1990-91 and 1991-92.
- x. That he has misappropriated an amount of Rs.72,300/- sent by the Z.P.,Nalgonda towards sanction of GPF, advances/partfinal payments in respect of Teaching staff and another side he had paid such advances from the Education fund account.

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- xi. That he has mis-appropriated a sum of Rs.50,000/- remitted by Smt. P.Ramanarsamma, W/o. P.Yella Reddy, R/o.Velidanda to Mandal Funds, towards 50% share under TGKP., during 1990-91 for sanctioning of Lift Irrigation Scheme. He has also taken a sum of Rs.18,000/- from them giving a hand receipt as MDO for getting sanction of the scheme.

6. The Enquiry Officer, after completing the enquiry has submitted his report to the Commissioner, Panchayat Raj and Rural Employment in the reference 4<sup>th</sup> read above. The Commissioner, Panchayat Raj and Rural Employment has requested the Chief Executive Officer, Zilla Parishad, Nalgonda to furnish the records before finalizing the case, since substantial amount is involved. The Chief Executive Officer, Zilla Parishad, Nalgonda has furnished the connected records in the month of March, 1998. The Delinquent Officer has retired from service on 30.04.98. Therefore, the Commissioner, Panchayat Raj and Rural Employment, Hyderabad has furnished the necessary proposals to the Government for finalizing the disciplinary case under A.P. Revised Pension Rules, 1980, in the reference 5<sup>th</sup> read above.

7. The Enquiry Officer has held all the (11) charges as proved. Government have examined the charges framed against Sri B. Laxmaiah, his explanation thereon, the findings of the Enquiry Officer and further explanation of the Delinquent Officer and observed that in respect of Charges 1, 2 and 3, there is misuse of powers by the Delinquent Officer. But, there is no loss caused to Government. It has, therefore, been decided to drop these three charges. However, Government held that the remaining (8) charges i.e., Charges No.4,5,6,7,8,9,10 and 11 as proved. Government have further observed that huge amounts have been misappropriated by the Delinquent Officer, Sri B. Laxmaiah in respect of these (8) charges.

8. Government after careful examination of the matter in detail, it was provisionally decided to impose a penalty of 100% cut in the pension of Sri B. Laxmaiah, formerly Mandal Parishad Development Officer, Mandal Parishad, Garidepalli, Nalgonda District, permanently for the charges held proved against him, besides withholding his entire gratuity. Accordingly, in the reference 6<sup>th</sup> read above, a Show-Cause Notice was issued on Sri B. Laxmaiah, MPDO [Retired], calling for his explanation on the provisional decision taken by the Government under rule 9 of A.P. Revised Pension Rules, 1980.

9. In the reference 7<sup>th</sup> read above, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad has stated that Sri B. Laxmaiah, MPDO [Retired], MPP Garidepalli of Nalgonda district had not submitted any explanation till to date on the show-cause notice issued against him and requested to issue final orders in the matter.

10. Government after careful examination of the entire matter in detail, have decided to confirm the provisional decision taken by the Government to impose a penalty of 100% cut in the pension of Sri B.Laxmaiah, formerly Mandal Parishad Development Officer, Mandal Parishad, Garidepalli, Nalgonda District, permanently for the charges held proved against him, besides withholding his entire gratuity under rule 9 of AP. Revised Pension Rules, 1980.

11. In the reference 8<sup>th</sup> read above, the Secretary, A.P. Public Service Commission, Hyderabad was addressed to concurrence to the above decision of the Government, and the A.P. Public Service Commission has requested to furnish a legible copy of the enquiry in its entirety, covering the findings of the Enquiry Officer for all the charges framed against the Charged Officer vide reference 9<sup>th</sup> read above.

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12. In the reference 10<sup>th</sup> read above, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad while enclosing a copy of death certificate and family members certificate of the individual furnished by the Chief Executive Officer, ZPP Nalgonda has stated that Sri B. Lakshmaiah, MPDO (Retired) was expired on 03.02.2011 and the inquiry report as desired by the Government will be submitted soon after receipt of the same from the Chief Executive Officer, ZPP Nalgonda.

13. In the reference 11<sup>th</sup> read above, the Commissioner, Panchayat Raj & Rural Employment, Hyderabad / Chief Executive Officer, ZPP Nalgonda have been requested to furnish a legible copy of the enquiry report in its entirety, covering the findings of the Enquiry Officer for all the charges framed against the Charged Officer late B. Laxmaiah, MPDO (Retired) and also state exact amount misappropriated by the Charged Officer to Government for issuing final orders in the matter.

14. In the reference 12<sup>th</sup> read above, the Chief Executive Officer, ZPP, Nalgonda while furnishing enquiry report has stated that, the amount recoverable from the delinquent officer towards the charges of misappropriation against the Charged Officer Sri B. Lakshmaiah, MPDO (Retired) is Rs.6,98,450/-

15. The Government after careful examination of the matter and having the circumstance of the case, hereby decide to abate further action against late B. Laxmaiah, MPDO (Retired), Nalgonda duly recovering an amount of Rs.6,98,450/- (Rs. Six lakhs ninety eighty thousand four hundred and fifty only) from the deceased employee, as he caused loss / misappropriated the Government money in accordance with Rule 9(7) of A.P. Revised Pension Rules, 1980 and in terms of G.O.Ms.995, Fin.(Pen.I) Dept., dt.21.12.2001, since he expired on 03.02.2011 before conclusion of the disciplinary proceedings pending against him.

16. The Commissioner, Panchayat Raj & Rural Employment, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To  
The Commissioner, Panchayat Raj & Rural Employment, Hyderabad.

Copy to:-

The Chief Executive Officer, ZPP Nalgonda.

The Secretary, A.P. Public Service Commission, Hyderabad.

The Accountant General, AP-Hyderabad.

The Secretary, Vigilance Commissioner,

A.P. Vigilance Commission, Hyderabad.

SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER.